

**REMARKS**

**INTRODUCTION**

In accordance with the foregoing, claims 1, 3-6, 8-11, and 13-15 have been canceled, and claims 16-24 have been added. No new matter is believed to have been presented, and approval and entry are respectfully requested.

Claims 16-24 are now pending and under consideration. Reconsideration is respectfully requested.

**REJECTION UNDER 35 U.S.C. §102**

In the Office Action at pages 2-5, numbered items 3-12, claims 1-15 were rejected under 35 U.S.C. §102(e) as being anticipated by newly-cited U.S. Patent No. 5,991,792 to Nageswaran. Claims 1-15 have been cancelled, and new claims 16-24 correspond generally to cancelled claims 3-5, 8-10, and 13-15, respectively. This rejection is traversed and reconsideration is requested.

New claim 16 is directed to a method for controlling a plurality of threads that perform parallel processing. New claim 16 recites "monitoring a number of running threads performing parallel processing and a number of standby threads that are in a standby state for a predetermined time period," "setting a maximum number of running threads in accordance with the number of running threads during the predetermined time period," "comparing the number of standby threads with the maximum number of running threads," and "terminating a number of standby threads exceeding the maximum number when the number of standby threads is greater than the maximum number." New claim 17 recites "monitoring a number of running threads performing parallel processing and a number of standby threads that are in a standby state for a predetermined time period," "setting an average number of running threads in accordance with the number of running threads during the predetermined time period," "comparing the number of standby threads with the average number of running threads," and "terminating a number of standby threads exceeding the average number when the number of standby threads is greater than the average number. New claim 18 recites "monitoring a number of running threads performing parallel processing and a number of standby threads that are in a standby state for a predetermined time period," "setting a product obtained by multiplying the number of running threads during the predetermined time period by a predetermined coefficient," "comparing the number of standby threads with the product," and

"terminating a number of standby threads exceeding the product when the number of standby threads is greater than the product." New claims 19-24 recite similar features.

Applicants respectfully submit that newly-cited Nageswaran, in contrast to the present invention, teaches that the number of threads in a pool is reduced in a "two phased solution." Nageswaran at col. 4, lines 17-18. According to Nageswaran, the thread manager 132 maintains a set of values, including the total number of threads (Y) 138 in thread pool 136 and identifies the size that the thread pool is to be shrunk to as a minimum number of threads (X) 138. During the first phase of thread reduction, "the server thread manager 132 attempts to reduce the threads by  $(Y-X)/2$ ." Nageswaran at col. 3, line 66 to col. 4, line 1. The server thread manager 132 then identifies and marks the number of threads to be deleted in thread pool 136 as "Being Removed." The threads marked as "Being Removed" can still be reused, if necessary. If the number of available threads that can be marked for removal is less than  $(Y-X)/2$ , then the number of threads available for deletion will be removed in a single iteration. See Nageswaran at col. 4, lines 1-18.

Applicants respectfully submit that Nageswaran fails to teach or suggest "terminating an amount of the standby threads exceeding the maximum number when the number of standby threads is greater than the maximum number," "terminating an amount of the standby threads exceeding the average number when the number of standby threads is greater than the average number," or "terminating an amount of the standby threads exceeding the product [obtained by multiplying the number of running threads during the predetermined time period by a predetermined coefficient] when the number of standby threads is greater than the product," as recited in new independent claims 16-24. Accordingly, Applicants respectfully submit that new claims 16-24 patentably distinguish over the prior art and are, therefore, in condition for allowance.

## CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By:

Allison Olenginski

Allison Olenginski  
Registration No. 55,509

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501